

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

ARBITRATION PETITION NO.31 OF 2005

M/s.D.P.Construction

Petitioner

Vs.

The Commissioner,
Thane Municipal Corporation & ors. Respondents

Mr.U.S.Samudrala for petitioner.

Mr.R.S.Apte for resp.nos.1 and 2.

CORAM: B.H.MARLAPALLE, J.

February 17, 2006.

P.C.

. Heard Mr.Samudrala, the learned counsel for the petitioner and Mr.Apte, the learned counsel for the respondent-Corporation. This petition has been submitted for appointment of arbitrator. However, in the affidavit-in-reply filed by the Commissioner of the Respondent-Corporation it has been pointed out that in Arbitration Petition No.48 of 2004 an order came to be passed on 1-12-2004 and thus the arbitral proceedings have commenced. For some reason or the other the petitioner failed to appear and subsequently its address was changed. It has been further stated that the proceedings could be

concluded in few meetings within a period of three to four days.

. The petitioner undertakes to appear before the Commissioner of the respondent no.1-Corporation on 23rd February 2006 at 3.30 p.m. and the proceedings will thus commence. The Commissioner to complete the proceedings expeditiously and preferably within a period of eight weeks from 23rd February 2006.

. The petition is disposed off in terms of the above order.

(B.H.MARLAPALLE,J.)